

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**PATRICK JOSEPH CHAREST,
Plaintiff,**

Vs.

Case #2:07-cv-984-MHT

**ALABAMA BOARD OF
PARDONS & PAROLES, et al.,
Defendants.**

NOTICE OF FILING AFFIDAVIT

Comes now Bill Wynne, Chairman of the Alabama Board of Pardons and Paroles, filing his “notarized” affidavit to Plaintiff’s Complaint, wherein he was added as a party, and shows unto the Court the following:

Bill Wynne’s affidavit was submitted with his response to the Complaint as Exhibit A on July 2nd, 2008. However, Wynne’s affidavit was inadvertently not notarized. Wynne now comes submitting his “notarized” affidavit as *Exhibit A* herein.

Respectfully submitted,

GREGORY O. GRIFFIN, SR.
CHIEF COUNSEL

s/STEVE SIRMON
ASSISTANT ATTORNEY GENERAL

State Bar#: ASB-5949-S61S
Ala. Bd. Pardons and Paroles
301 South Ripley Street
P.O. Box 302405
Montgomery, Alabama 36130
Telephone: (334) 242-8700
steve.sirmon@paroles.alabama.gov

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Joseph Patrick Charest AIS#182262
Limestone Correctional Facility
28779 Nick Davis Road
Harvest, Alabama 35749-7009

Done this 3rd day of July 2008.

Respectfully submitted,

s/STEVE SIRMON
ASSISTANT ATTORNEY GENERAL
State Bar#: ASB-5949-S61S
Ala. Bd. Pardons and Paroles
301 South Ripley Street
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**ALABAMA BOARD OF
PARDONS & PAROLES, et al.,**
Defendants.

**AFFIDAVIT OF
Defendant
Bill Wynne Jr.**

Comes now BILL WYNNE JR., Chairman of the Alabama Board of Pardons & Paroles, named as Defendant in this action, and shows unto the Court as follows:

“My name is Bill Wynne Jr.. I a the Chairman of the Alabama Board of Pardons & Paroles, appointed and confirmed as provided in §15-22-20, Ala. Code. In 2005 I was a member of the Board of Pardons and Paroles “Special Board”. On 12-6-2005 I sat on the panel of Special Board members that considered Patrick Charest, AIS# 182262, for parole. I was not of the opinion that he could be released without violating the law, now was I of the opinion that his release was not incompatible with the welfare of society.

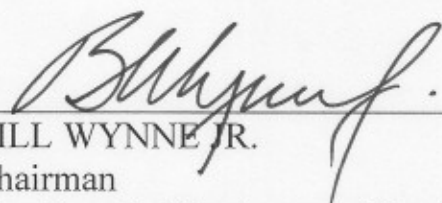
‘I deny violating Mr. Charest’s due process or equal protection rights in reviewing his file, receiving statutorily required in-put from certain elected officials and victims, in voting to deny his parole, or in any other respect.



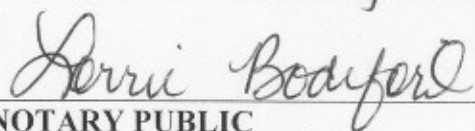
'I was not a Board member when the 2002 rules were adopted and had not input in their construction. I applied the rules in effect in 2005 when considering Mr. Charest for parole on 12-6-2005. I deny violating the ex post facto clause concerning Mr. Charest parole consideration.

'I deny conspiring with anyone concerning Mr. Charest's parole consideration. I deliberated with the other Board members on the panel that heard his case and voted to deny parole.

'I further deny relying on any "know" false information in making my decision concerning Mr. Charest's parole. Had I know of false information offered I would not have considered it in making my decision. I make my decision after reviewing Mr. Charest's file, conducting a hearing in an open public meeting, and forming my opinion concerning his release as stated above."


 BILL WYNNE JR.
 Chairman
 Ala. Board of Pardons and Paroles

SWORN TO AND SUBSCRIBED before me this 2nd day of July, 2008
 2008.


 NOTARY PUBLIC
 Commission Expires: 10-15-11

